

MAINE STATE LEGISLATURE

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N I N E T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 1318

H. P. 932

House of Representatives, April 17, 1959

Reported by Mr. Haughn from the Committee on Public Utilities, printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to Extension of Water Service in Town of Falmouth.

Be it enacted by the People of the State of Maine, as follows:

Extension of Water Service in Town of Falmouth. When at least four-fifths of the owners of property abutting on an accepted public way in the Town of Falmouth, not presently served with water service by the Portland Water District, petition the Selectmen of the Town of Falmouth to include an appropriate article in the Warrant for a Town Meeting, the Selectmen are hereby authorized to insert in said Warrant an article in substantially the following form:

“To see if the Town will vote to instruct the Selectmen to enter into a contract with the Portland Water District to install a water main in _____ (public way), starting at _____, extending along said _____ (public way) _____, starting at _____ (starting point) _____ (public way) for a distance of _____ (feet) and ending at _____ (certain point) along said main _____ (if any) hydrants on said way, and vote to raise and appropriate the sum of \$ _____ to pay the annual charge therefor.”

If the tax income to the town from real estate on said way capable of being directly served by said water main is less than four times the annual charge of the Portland Water District to the town for said main, the assessors shall determine the benefit derived from said main and extension thereof to each lot or parcel of real estate on said way and make an assessment therefor based on said charge to the town for the preceding year.

The legislative body of the town shall establish a formula with respect to each such petition to define the benefit and to determine that portion of the aforesaid benefit that shall be assessed annually to the owners of the real estate, but in no event shall such assessments exceed 70 per cent of the annual cost to the town for each main or extension thereof; said formula may provide the terms and conditions for the termination of the benefit assessment. Every such assessment until paid shall be a lien on the real estate assessed.

Unless otherwise provided by the legislative body of the town as aforesaid the benefit assessments shall terminate when it is determined by the assessors that tax income to the town from real estate on any way herein affected is equal to four times the annual charge of the Portland Water District to the town for service to the real estate on such way.

The municipal officers shall file with the tax collector each year the location of each such water main and extension thereof, a statement of its cost to the town for the preceding year, the amount of the benefit assessment made on each lot or parcel of real estate, and identity of the owner responsible for its payment; within 20 days of said filing the tax collector shall give written notice of the assessment to said owner.

Each water main and extension thereof so authorized by the town shall be considered separately, and not in combination, to determine water main expense in relation to tax income, except for purpose of terminating the benefit assessment as aforesaid.

The intention of this Act is to provide a supplemental and not an exclusive method for the financing of water main extensions in the town.